

AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1767

Introduced by Senator Hollingsworth

February 24, 2006

An act to add Section ~~12531 to the Government~~ *834d to the Penal Code*, relating to local enforcement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1767, as amended, Hollingsworth. Local law enforcement: immigration laws.

Existing law requires every law enforcement agency in California to fully cooperate with the United States Immigration and Naturalization Service.

This bill would require that if the Attorney General determines that ~~local governmental agencies or law enforcement agencies are not cooperating with the federal immigration officials to report that determination to the Legislature for its consideration of denying state aid to that entity~~ *a city, county, city and county, other local government agency having law enforcement powers, or a law enforcement agency itself has adopted an ordinance, regulation, resolution, or other order that prohibits its law enforcement officers and employees from cooperating with federal immigration officials, the Attorney General shall report that determination to the Controller who shall not allocate funds for state aid or assistance to that agency.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 834d is added to the Penal Code, to*
2 *read:*

3 *834d. If the Attorney General determines that a city, county,*
4 *city and county, other local government agency having law*
5 *enforcement powers, or a law enforcement agency itself, has*
6 *adopted an ordinance, regulation, resolution, or other order that*
7 *prohibits its officers and employees from cooperating in their*
8 *official capacities with federal immigration officials in any*
9 *investigation, detention, or arrest procedures related to alleged*
10 *violations of civil provisions of federal immigration laws, the*
11 *Attorney General shall report that determination to the*
12 *Controller. The Controller shall not allocate funds for any form*
13 *of state aid or assistance to any agency reported to the*
14 *Controller by the Attorney General pursuant to this section.*

15 ~~SECTION 1. Section 12531 is added to the Government~~
16 ~~Code, to read:~~

17 ~~12531. — If the Attorney General determines that a city,~~
18 ~~county, other local government entity with jurisdictional~~
19 ~~boundaries, or a law enforcement agency is not cooperating with~~
20 ~~federal immigration officials, the Attorney General shall report~~
21 ~~that determination to the Legislature for its consideration of~~
22 ~~denying state aid to that entity.~~